

Trail Talk Minutes

Tuesday, October 18, 2011

3:00 – 4:00 pm CST

I. Introductions

Trail talk began with introductions of Lewis and Clark National Historic Trail (LECL) hosts:

Karla Sigala, Interpretive Specialist (karla_sigala@nps.gov, 402-661-1826)

Jill Hamilton-Anderson, Education Specialist (jill_hamilton_anderson@nps.gov, 402-661-1824)

Nichole McHenry, Volunteer Program Manager (nichole_mchenry@nps.gov, 402-611-1810)

II. Trail Talk Purpose

The purpose of Trail Talk is to connect interpreters, educators, and volunteer professionals so they can learn from each other, share ideas and resources, and build relationships. It is also to weave places and people together along the National Historic Trail. Trail Talk will also be used as a conduit for information dissemination regarding policy changes, administration needs, grants and other funding opportunities.

Trail Talk is an informal way to assist partners by providing a conduit for communication.

III. Introductions

Trail Talk welcomed an audience from North Dakota, Missouri and the Ponca Tribe of Nebraska.

IV. Guest Speaker: Denise Nelson, Environmental Protection Specialist, Lewis and Clark National Historic Trail, Omaha, NE; *Community and Trail Stewardship: Working Together*



Thanks to Denise who shared the complexities of environmental protection of trail resources with the Trail Talk audience. Denise has over fifteen years of experience working for state and federal government in environmental protection. Her work for the Trail covers a broad range of environmental issues and territory, which requires input and expertise of other resource specialists at the Trail and from local partners/experts to address effectively. Denise is always looking to find out what development is proposed along the Trail and ways to get involved in planning processes. She hopes individuals concerned about protecting the Trail will join forces, get involved, make their voices heard and use technology to share information, resources, and success stories.

Denise began the discussion by giving the background of the Trail's creation and its administrative charge as this relates directly to what the National Park Service can and cannot do to help protect resources. I will let Denise's words speak with the following excerpt from her notes:

The National Trails System was created in **1968** by the NTSA {National Trails System Act}. The Act and subsequent amendments authorized a national system of trails to "promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation." 2 scenic trails established – Pacific Crest and Appalachian.

First historic trails, incl. LCNHT {Lewis and Clark National Historic Trail}, designated in **1978**. Qualified as a NHT under the NTSA because: 1) **historic** trail or route, 2) national significance, 3) significant potential for public recreational use or historical interest based on historic interpretation and appreciation.

Proponents recognized the Trail was already impacted, but still had tremendous significance and opportunity for interpretation and recreation. Important to understand ability to convey significance may not mean it is exactly as it was in 1804-1806.

NHTs purpose: "identification and **protection** of the historic route, remnants, and artifacts for public use and enjoyment."

Denise explained that this charge is difficult to administer because of the multitude of land owners along the trail and the complexity of regulation and laws throughout multiple jurisdictions. Almost 50% of the trail is abutted by private land with the majority of that land being used for agriculture. Much of the rest of the trail is owned by a variety of federal or other government agencies and 5% is owned by tribes. Needless to say this creates a challenge for the National Park Service (NPS) as lead administrator. It is easier for the NPS to get involved when another federal agency is involved in a project. It is more difficult for us if there is no federal jurisdiction over a project. Sometimes development may be proposed on land with no tie to federal assistance (land/money/permits), although, there still may be a public input component that we can address – but many of these issues are more successful with local involvement. ALL issues benefit from local public involvement.

Although there are no specific "Trail" regulations, some tools LECL (Lewis and Clark) can use for trail protection stem from existing ones:

Environmental laws to protect from pollutant exposure: air, water, soil, food, etc: Also, procedural laws that require a process be followed (usually involving opportunity for public input). Ex., Federal agencies must comply with NEPA {National Environmental Policy Act} and NHPA {National Historic Preservation Act} which are procedural, no specific outcome of choosing best environmental option is required. Also, state, county and community regulations – ex. permitting, zoning ordinances. Most governments have a process for citizen involvement: complaints, planning process/public meetings.

There are qualities that give a community its character and often there are developments on the landscape or in the air that threaten that character. Communities need to be proactive in identifying what it is about their surroundings that make it unique and work to protect these values. Many times there are no regulations in place to protect these things that many of us take for granted. These might be things like the view from your backyard, what you smell as you walk outside, where you go to find solitude, contemplate, meditate, or pray. Denise shared the following example:

Columbia River Gorge – Friends saw need to protect scenic areas from development. Lobbied congress – got designation of 292,500 acres in Washington State as first NSA {National Scenic Area} in 1986. But the same can happen at a smaller scale – Great Falls Lewis & Clark Interpretive Center – looking to buy land or scenic easements across river, Jefferson River Water Trail trying to prevent homes near river, or promote styles that blend in with scenery better; Blackfoot River in Montana grassroots effort to prevent the breaking up of properties for smaller developments.

All of the above actions occurred not to follow some regulation or law, but to protect resources that the community valued in the absence of such. Groups of people working together can make a difference.

Who is going to protect the Trail?

The NPS is charged with administering the Trail. BUT, the Act contains a congressional statement of policy to **encourage and assist volunteer citizen involvement** in the planning, development, maintenance, and management of trails. This is

unique and reflects the fact that the goals of the Act simply cannot be achieved without valuable contributions of volunteers and private, nonprofit trail groups. The trail staff must work in partnership. We need to work together on common goals, pool resources and communicate.

You may be asking yourself, “What Can I Do?”

Denise suggests the following plan of action for anyone who would like to help protect the Trail:

Stay informed. Find out what is planned for your community. Attend city council or local zoning board meetings. Read your local paper (we have a news clipping service to stay abreast of Trail news). Ask questions of neighbors and gov’t representatives.

Even with protections, some rules are broken.

Help with reporting potential violations observed. Organize or attend a park, neighborhood, or river clean-up. Plan a restoration. Ex. native prairie restoration, riparian area restoration, cultural landscape restoration, etc.

Spread the word:

Talk to your neighbor about issues. Write an article or editorial in the newspaper. Use new social networks. Think something might threaten the Trail? Call or email LECL! Speak up – make your concerns known.

Get involved. When? As early as possible. Stay ahead of the curve, it is much easier to grab the ear of policy makers before their plans are too far along; Write letters, form alliances with others with similar concerns and goals, participate or organize a community visioning session, conduct fundraising, purchase land or easements, lobby for new protections.

VI. Trail Notes

There are a number of federal laws that serve to protect natural and cultural resources:

- National Historic Preservation Act, Section 106: <http://www.preservationnation.org/resources/legal-resources/understanding-preservation-law/federal-law/section-106/>
 - How the above law relates to other laws: <http://www.achp.gov/relationship.html>
- National Environmental Policy Act (NEPA): <http://www.epa.gov/compliance/nepa/>
- Native American Graves Protection and Repatriation Act (NAGPRA): <http://www.nps.gov/nagpra/MANDATES/INDEX.HTM>
- Wild and Scenic Rivers Act: <http://www.rivers.gov/>
- Clean Water Act: <http://www.epa.gov/lawsregs/laws/cwa.html>
- Clean Air Act: <http://www.epa.gov/air/caa/>
- Endangered Species Act: <http://www.fws.gov/endangered/laws-policies/index.html>
- Tribal Forest Protection Act: <http://www.fs.fed.us/forestmanagement/stewardship/tribal/index.shtml>

Don’t know where to start?

- <http://www.community-stewardship.org/>
- <http://www.discovernw.org/>
- <http://www.mrsc.org/research/libraryresults.aspx?cat=409>
- <http://mdc.mo.gov/landwater-care/communities>